

**STATE OF NEW MEXICO  
BEFORE THE ENVIRONMENTAL IMPROVEMENT BOARD**



**IN THE MATTER OF PROPOSED NEW REGULATIONS,**

20.2.100 NMAC – *Greenhouse Gas Reporting – General Provisions,*  
20.2.101 NMAC – *Greenhouse Gas Reporting – Verification of Reports,*  
20.2.102 NMAC – *Greenhouse Gas Reporting – General Stationary Combustion,*  
20.2.103 NMAC – *Greenhouse Gas Reporting – Electricity Generation,*  
20.2.104 NMAC – *Greenhouse Gas Reporting – Refineries,*  
20.2.105 NMAC – *Greenhouse Gas Reporting – Petrochemical Production,*  
20.2.106 NMAC – *Greenhouse Gas Reporting – Cement Production,*  
20.2.107 NMAC – *Greenhouse Gas Reporting – Lime Manufacturing,*  
20.2.108 NMAC – *Greenhouse Gas Reporting – Coal Storage,*

**AND EXISTING REGULATION,**

20.2.87 NMAC – *Greenhouse Gas Emissions Reporting*

**No. EIB 09-09 (R)**

---

**NEW MEXICO ENVIRONMENT DEPARTMENT'S  
NOTICE OF WITHDRAWAL OF PETITION**

---

The New Mexico Environment Department ("Department") hereby gives notice that it has withdrawn its petition in the above-referenced matter. On July 17, 2009, the Department filed its petition with the Environmental Improvement Board ("Board"). On September 23, 2009, the U.S. Environmental Protection Agency issued a final rule establishing requirements for reporting greenhouse gases. In response, the Western Climate Regional Action Initiative committed to harmonize its Essential Requirements for Mandatory Reporting - which served as the initial framework for the Department's petition - with the EPA rule. That harmonization process was initiated recently, and is expected to be completed by mid-2010. When that process is completed, the Department intends to revise its petition. Accordingly, the Department has determined that administrative efficiency and economy would be better served by withdrawing this

petition. In the meantime, the Department will continue to comply with the data collection requirements specified in Parts 73 and 87 of the Air Quality Control Regulations.

Respectfully submitted,

NEW MEXICO ENVIRONMENT DEPARTMENT  
OFFICE OF GENERAL COUNSEL



---

Eric Ames  
New Mexico Environment Department  
P.O. Box 5469  
Santa Fe, New Mexico 87502-5469  
Telephone: (575) 779-1627

**CERTIFICATE OF SERVICE**

I certify that on October 16, 2009, I served this **NOTICE OF WITHDRAWAL** by electronic mail to:

Erik Schlenker-Goodrich, Esq.  
Western Environmental Law Center  
P. O. Box 1507  
Taos, New Mexico 87571  
(575) 751-0351 ext.135  
(575) 751-1775 facsimile  
[eriksg@westernlaw.org](mailto:eriksg@westernlaw.org)

Louis W. Rose, Esq.  
Montgomery & Andrews  
P. O. Box 2307  
Santa Fe, New Mexico 87504  
(505) 986-2506  
(505) 982-4289 facsimile  
[lrose@montand.com](mailto:lrose@montand.com)

Karin V. Foster, Esq.  
5805 Mariola Place, NE  
Albuquerque, New Mexico 98111  
(505) 238-8385  
[fosterassociates2005@yahoo.com](mailto:fosterassociates2005@yahoo.com)

Barbara Walz  
Andy Berger  
Tri-State Generation & Transmission Association  
P. O. Box 33695  
Denver, Colorado 80233  
(303) 254-3171  
[bwalz@tristategt.org](mailto:bwalz@tristategt.org)  
[aberger@tristategt.org](mailto:aberger@tristategt.org)



---

Eric Ames